

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MAXWELL SHOE COMPANY, INC.,

Plaintiff,

v.

EDELMAN SHOE COMPANY, LLC and  
SAM EDELMAN,

Defendants.

Civil Action No. 04-10694 RCL

**MOTION TO ENLARGE TIME  
FOR DEFENDANTS TO RESPOND TO COMPLAINT**

Defendants Edelman Shoe Company, Inc. and Sam Edelman request an enlargement of time in which they may answer, respond or otherwise plead to the Plaintiff's Complaint, up to and including June 28, 2004. Defendants' response had been due June 1, 2004, and they previously sought an enlargement of time to respond to the Complaint until today, June 14, 2004. *See Docket # 24.* Defendants now seek another two-week extension of time to respond to the Complaint to conserve both the parties' and the Court's resources, in view of the Motion for Preliminary Injunction filed by the Plaintiff on April 8, 2004 and currently pending before Magistrate Judge Alexander. Defendants anticipate filing a motion to dismiss the Complaint, but respectfully request this enlargement of time to avoid potentially unnecessary motion practice.

Defendants have further inquired as to the possibility of the Court resolving Plaintiff's Motion Preliminary Injunction on an expedited basis, and are earnestly soliciting the Court to schedule a hearing on the matter.

**Certification of Compliance with Local Rule 7.1**

Counsel for Defendants Edelman Shoe Company, LLC and Sam Edelman, Christopher Centurelli, conferred by telephone with counsel for Plaintiff Maxwell Shoe Company, Inc., Ilan N. Barzilay, on June 14, 2004 in an attempt to resolve or narrow the issues presented by this Motion. Unfortunately, the parties were not able to resolve or otherwise narrow the issues presented by this Motion.

WHEREFORE, Defendants request entry of this Motion.

EDELMAN SHOE COMPANY, LLC and  
SAM EDELMAN,

By their attorneys,

Dated: June 14, 2004

  
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**Certificate of Service**

I hereby certify that a true copy of the above document was served upon the attorney of record for Plaintiff by hand on June 14, 2004.

  
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Christopher Centurelli